

04/05/01  
Jc772 U.S. PTO

#8/p4 1.26.02  
PATENT

Customer Number 22,852  
Attorney Docket No. 3495.0166-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Prior Application Art Unit: 1645      Prior Application Examiner: R. Zeman

J1033 U.S. PTO  
09/025886  
04/05/01

SIR: This is a request for filing a

☐ Continuation    ☐ Continuation-in-Part    ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/393,302 filed September 10, 1999, of Hovanessian et al. for A Novel Cell Surface Receptor for HIV Retroviruses, Therapeutic and Diagnostic Uses

1.    ☒    Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/393,302 as originally filed on September 10, 1999, which is incorporated herein by reference.
2.    ☐    Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3.    ☐    Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4.    ☐    Cancel Claims \_\_\_\_\_.
5.    ☒    A Preliminary Amendment is enclosed.
6.    ☐    The filing fee is calculated on the basis of the claims existing in the prior application as amended by the enclosed Preliminary Amendment.

Basic Application Filing Fee					\$710	\$ \$710.00
	Number of Claims		Basic	Extra Claims		
Total Claims	3	-	20		x \$18	0
Independent Claims	1	-	3		x \$80	0
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$270	0
Subtotal						\$ 710.00
Reduction by 1/2 if small entity						- 0
TOTAL APPLICATION FILING FEE						\$ 710.00

09/025886-040004  
  
LAW OFFICES  
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FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

7. ☒ A check in the amount of \$710.00 to cover the filing fee is enclosed. A Petition for a Three Month Extension of Time and a separate check for \$890.000 are being filed separately.
8. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ☒ Amend the specification by inserting before the first line, the sentence:

--This is a continuation of application Serial No. 09/393,302, filed September 10, 1999, which is a continuation application of PCT/EP98/01409, filed on March 12, 1998, which is a continuation-in-part of Provisional application Serial No. 60/040,969, filed on March 12, 1997, all of which are incorporated herein by reference.--

10. ☐ New formal drawings are enclosed.
11. ☒ The prior application is assigned of record to: Institut Pasteur and Centre National de la Recherche Scientifique.
12. ☒ Priority of application PCT/EP98/01409, filed on March 12, 1998, in the PCT is claimed under 35 U.S.C. § 119. A certified copy
- ☐ is enclosed or ☒ is on file in the prior application.
13. ☐ A verified statement claiming small entity status
- ☐ is enclosed or ☐ is on file in the prior application.
14. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter,

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15. ☐ The power appears in the original declaration of the prior application.
16. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.
18. ☐ Recognize as associate attorney \_\_\_\_\_
19. ☐ Also enclosed is \_\_\_\_\_

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.

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202-408-4000

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 09/393,302, filed September 10, 1999, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 5, 2001

By: Rebecca M. McNeill  
Rebecca M. McNeill  
Reg. No. 43,796

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202 • 408 • 4000  
FACSIMILE 202 • 408 • 4400

WRITER'S DIRECT DIAL NUMBER:

(202) 408-4096

September 10, 1999

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404 • 653 • 6400  
PALO ALTO  
650 • 849 • 6600

TOKYO  
011 • 813 • 3431 • 6943  
BRUSSELS  
011 • 322 • 646 • 0353

11033 U.S. PTO  
09/825886  
04/05/01

ATTORNEY DOCKET NO.: 03495.0166-01-000

**Box Patent Application**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

New U.S. Patent Application

Title: A NOVEL CELL SURFACE RECEPTOR FOR HIV RETROVIRUSES,  
THERAPEUTIC AND DIAGNOSTIC USES

being a Continuation of PCT International Application No. PCT/EP98/01409,  
filed March 12, 1998.

Inventor: Ara HOVANESEAN  
Address: BOURG LA REINE, France

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Inventor: Gilles GUICHARD  
Address: STRASBOURG, France

Sir:

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.  
Assistant Commissioner for Patents  
September 10, 1999  
Page 2

We enclose the following papers for filing in the United States Patent and Trademark Office under 35 U.S.C. 111(a) as a Continuation application of PCT International Application No. PCT/EP98/01409, filed March 12, 1998, which claimed priority of U.S. Provisional Application No. 60/040,969, filed March 12, 1997. (Related by Continuation (CON) or Continuation-in-Part (CIP) to Earlier Application US 60/040,969 (CIP), filed March 12, 1997).

1. Preliminary Amendment.
2. Application - 195 pages, including 6 independent claims and 26 claims total; 67 sheets of drawings and International Search Report.

This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicants await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fee. Please do not charge the filing fee to our Deposit Account without our authorization.

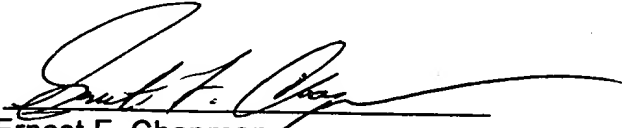
Applicants claim the right to priority based on U.S. Provisional Application No. 60/040,969, filed March 12, 1997.

Please accord this application a serial number and filing date.

The Commissioner is hereby authorized to charge any other fees due (but not the filing fees) under 37 C.F.R. § 1.16 or § 1.17 during the pendency of this application to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Ernest F. Chapman  
Reg. No. 25,961

EFC/FPD/rgm  
Enclosures